The
REPORTER
For Conscience' Sake

VOLUME XVII SEPTEMBER, 1960 NUMBER 9

German Program of Alternative Service Takes Shape

On January 13, 1960, the law relating to civilian alternative service for recognized conscientious objectors was passed in the Federal Republic of West Germany. According to the Basic Law this service must not exceed military service in length, must not restrict freedom of conscience, and must have no connection with military service.

With this law virgin territory was entered as far as Germany was concerned. For this reason foreign experience and recommendations from the German Central Office for the Right and Protection of Conscientious Objectors were taken into consideration, even in the first government draft. The legislators endeavored to maintain the principle of legal equality of military and alternative service in questions of pay and supplies, of furlough, of health and other services and of length of service.

It is difficult to say to how many conscientious objectors the alternative service law will apply. A small number of recognized conscientious objectors reject alternative service as incompatible with the Basic Law while others are prepared to do noncombatant service in the Federal Army. However, most conscientious objectors who are now recognized are willing to do alternative service-an estimated 1,500 in the early part of this year. It is expected that in the course of this year about 50 to 100 persons liable for alternative service will be called. As far as possible, personal preferences regarding type and time of service are to be taken into consideration.

What does the law say with regard to the nature of the alternative service? The draft law stipulates work which services the "common

(Continued on Page 3)

Few Churches Account for Bulk of I-W's

From time to time we have published lists which show the religious affiliation of the men in alternative service at a given time. We now have approximate cumulative figures for men from each denomination who on April 1st held or had held the I-W classification since the present alternative service program was initiated in 1952. The tabulations are based on answers to a brief questionnaire sent to each man in the course of his service. Consistently, more than eighty per cent of the men have responded.

A total of 8,787 forms were returned in the span of almost eight years. Although an exact cumulative total of I-W's is not available, it is clear that more than 10,000 men were doing or had done alternative service by April 1, 1960. This figure naturally does not represent the total of men claiming to be conscientious objectors or recognized as such by the Selective Service System during this period of time. As of the above date there were 8,585 conscientious objectors in Class I-O alone. Doubtless many others were eligible for other lower classifications.

There is evidence that the average age at which men do alternative service may vary from one denomination to another. In some groups young men more frequently volunteer for service before they reach the age at which they would be drafted. For this reason the number of I-W's is not likely a safe index to the number of conscientious objectors in particular denominations. However, certain rough proportional relations do appear in the list given.

Of the 8,787 persons included in the total 81 claimed no religious affiliation. Close to 40 others belonged to small, independent fellow-

Published by the National Service Board for Religious Objectors

ships. The following denominations had from one to four persons: Albanian Orthodox; Apostolic Christian; Brethren Church; Buddhist; Church of Christ, Scientist; Church of Jesus Christ; Church of Jesus Christ of the Latter Day Saints; Church of Our Lord Jesus Christ of the Apostolic Faith, Inc.; Church of the Living God; Church of the Nazarene; Doukhobours; Dutch Reformed; Essenes of Kosmon; Ethical Culture; Evangelical Congregational; Evangelical Free Church; Evangelical Mission Covenant Church; Free Methodist Church; Grace Brethren; Holiness Church; Independent Fundamental; Old Order River Brethren; Pilgrim Holiness; Roman Catholic; Seventh Day Baptist; United Brethren; and United Christian.

Listed below are denominations which had more than four men in alternative service during the period.

AFFILIATION	TOTAL I-Ws
Mennonite and Brethren in Christ	6,155
Church of the Brethren	915
Religious Society of Friends	320
Old German Baptist Brethren	240
Jehovah's Witness	212
Church of Christ	150
Methodist	91
Christadelphian	72
Church of God	58
United Church of Christ	37
Association of Bible Students	34
Presbyterian	31
Baptist	30
Hutterian Brethren	30
United Pentecostal	29
Dunkard Brethren	21
Assemblies of God	19
Plymouth Brethren	18
Seventh Day Adventist	17
Church of God (Seventh Day)	13
Followers of Jesus Christ	13
Christ's Sanctified Holy Church	11
Church of the First Born	11
Evangelical United Brethren	11
Russian Molokan	11
Episcopal	10
Lutheran bodies	7
Unitarian	7
Church of God of the Faith of Abraham	6
Disciples of Christ	6
Order of Aaron	6
United Zion	6
Church of God in Christ	5
First Century Gospel	5
Radio Church of God	5

Three Ohio Amish Tried

Three Ohio Amish who were reportedly scheduled for trial in July (See June-July issue) were found guilty of violation of the Universal Military Training and Service Act in jury trials on September 7 and 8. Benjamin C. Yoder, 25, and David W. Miller, 24, both of Apple Creek, and Daniel N. Swartzentruber, 23, of Beach City, were tried in the U. S. District Court in Columbus, Ohio. All three were charged after they had refused to report for civilian work at the Columbus State Hospital last November. Though recognized as conscientious objectors, the men felt it would compromise their peace principles to take up alternative service.

Yoder was first to be tried. In his case, as well as in the others, the jury deliberated less than twenty minutes before returning the verdict of guilty. The Assistant U. S. Attorney, Thomas Schattenfield, told the jury the case involved a simple decision. "There are no moral or ethical problems involved here," he said. "We can't have one set of laws for one group and one set for another."

Said Yoder in his defense, "I'm conscientiously opposed to military training, and I feel I would be serving the military if I worked there (at the hospital). My conscience would not allow me to work there."

Swartzentruber in his trial refused to allow the court-appointed attorney to speak for him. He took the witness stand to testify in his own behalf. "It is hard for me to make you understand," he told the jury. "This is no stubbornness on our part. We want to obey the laws but we also want to obey the law of God. It makes no difference how close to home I would be working. If I had to sign those papers, it would make me feel as though I had volunteered for military training," Swartzentruber said.

"I would work at the hospital or in the fields for nothing, but I would not take the defense job connected with military training," Miller is quoted as saying during his trial. Other Amish-

The Reporter
For Conscience' Sake
Published by the
National Service Board for Religious Objectors
Room 403, 401 3rd Street, N. W.
Washington 1, D. C.

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Published Monthly

men said that the men objected to alternative service because they were forced to sign papers saying that they were performing it willfully and to do it willfully violates their beliefs, the news items reported.

The men were not immediately sentenced. Federal Judge Mell G. Underwood told them, "The court will be lenient with you. I'm going to send you to jail for a few days to let you think it over. Then you can tell me whether you want to go to work or back to prison." Underwood offered this alternative although the men had earlier refused a variety of jobs as farmers, orderlies or kitchen workers at state and county institutions.

The three were sentenced on September 19 to three years in prison by Federal Judge Underwood when they persisted in their stand that they could not conscientiously report to do alternative service.

News Briefs

The Fellowship of Reconciliation notes that several of its members are seeking election to Congress in the coming elections. Hayes Beall of Lombard, Ill., is the Democratic nominee for Congress from the 14th District of Illinois. Tyler Thompson of Evanston, Ill., is the Democratic nominee for Congress from the 13th District. In Massachusetts, William K. Hefner of Shelburne, is seeking the Democratic nomination in the 1st District. He is running as the "Peace Candidate" and favors "beating atomic bombs into electric plants."

Running for re-election to Congress are Byron L. Johnson (D.-Colo.) and William H. Meyer (D.-Vt.), both of whom sought recognition as conscientious objectors in World War II. Johnson is active in the FOR. Both Johnson and Meyer have spoken out in Congress for disarmament, reduction of military expenditures, and other pacifist interests.

* * *

Two General Conference Mennonite men are not satisfied to merely fulfill their legal obligation to do alternative service. Donald Ediger and Harlan Goertzen are making this serve as a Christian stewardship experience by contributing $100 each from monthly wages at the Rancho Los Amigos Hospital in Downey, California. The money goes to support missionary work overseas. Said Ediger, "We wanted to do more than put in time. I think I'm happier than some of the fellows that just keep it to themselves."

* * *

Conscription, a Methodist bishop charges, is helping the nation to drift toward socialism. "The thing that is turning this country socialist is the army system," he said. "Our boys are drafted at the time they should get an education and have a family. They lay aside conscience, more or less, for a couple of years. They move at somebody else's behest. They are fed by the state. They are sanctioned by the state. They are pensioned by the state. They are clothed by the state. Everything that is done for them is done by the state. The forces that are supposed to defend us are destroying us by socialism."

* * *

The Central Board for Conscientious Objectors, London, England, notes in its appeal for funds that this appeal will likely be the last. The British Government has indicated it will not seek extension of conscription as long as the voluntary programs produce the required numbers of men for the Forces. Although the last registration required was on January 10, 1959, there is considerable time lag before induction. It is expected that the drafting of those registered in January 1959, and of those previously registered but deferred, will continue until near the end of this year.

* * *

Peacetime conscription was introduced for the first time to this country twenty years ago when the Selective Training and Service Act of 1940 was signed by the President on September 16, 1940. On the same day a Proclamation by the President called for a registration one month later for all men ages 21 to 35. Shortly thereafter the President prescribed regulations for the organization and administration of the Selective Service System.

German Program, Cont'd.

good." This implies, in order of importance:

(1) Service in hospitals and other curative and nursing institutions, including nursing care and other types of work.

(2) Work in setting up equipment for social and charitable purposes-equipment and maintenance of hospitals, health and nursing institutions, vacation homes for children and mothers, apartments for low-income groups, or churches and schools in emergency districts. Service in education also is within the compass of permissible work.

(3) Disaster service (floods and forest fires, for example) and preventative measures.

(4) Other useful work which serves the interest of the general economy such as regulation of water supply, street and road construction, cultivation of new land, etc.

The extent to which such alternative service can also be performed abroad is not specifically stated in the law, hence it is assumed that it is not rejected.

While originally the executive responsibility for alternative service was to lie in the hands of the states, and private institutions and organizations were only to be charged with it as the exception and on the basis of special request, this view of the Federal Republic has changed in the course of recent years to the opposite. Now private establishments and associations can be recognized for the employment of alternative service men if they make application to the Federal Labor Department showing that they predominantly serve useful and charitable ends, offer suitable work, and can be inspected by officials of the Labor Department.

Alternative service personnel are freely permitted to seek employment with a private organization; this is even desired. After this is done, application must be made to the Federal Labor Department for permission to perform alternative service with the organization. As a rule the service is not to be rendered in the locality where the man lives nor at his home in order to prevent fictitious arrangements.

All these things would sound gratifying if it were not for the fact that the principle of legal equality of military and alternative service is neutralized. A contribution to the Federal Labor Department for board, room, equipment, pay and other expenses is prescribed by law for all private organizations which desire to employ such men. This sum amounts to DM 250 a month, or more, and includes the pay of DM 2 per day. This is naturally a considerable hindrance to the employment of alternative service men. Only a few large organizations have so far agreed to the expense contribution, though the number of private organizations which would like to employ such men is quite large. Negotiations are still under way with the government to eliminate or reduce the expense contribution.

An alternative service man has certain rights and duties. He has to follow official instructions as long as they are not punishable according to existing standards or do not violate the dignity of man. Undisturbed exercise of religious duties is assured to the alternative service man according to the law. But, any activity and propaganda on behalf of or against a political movement and expression of opinion through which the community could be disturbed is prohibited within the area of his official employment and residence.

A reprimand or leave restriction from three days to three weeks and fines up to half the monthly pay are the disciplinary measures which private organizations may enforce for violation of an official duty. In case of arbitrary absence or escape or refusal to follow official orders an alternative service person is liable to arrest, confinement or a prison term. The individual may pursue claims either directly or through channels to the Federal Labor Department. (This article was condensed from a report by Dr. Fritz Mensching, Friends representative on the German counterpart to the NSBRO.)

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401 Third St., N. W., Room 403
Washington 1, D. C.

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